

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY PETITION NO. 385 OF 2014
WITH
CHAMBER ORDER (L) NO. 313 OF 2014**

SANTOSH
SUBHASH
KULKARNI

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Date: 2022.09.13
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Agarwal Industrial Corporation Ltd. ...Petitioner

Versus

Atlanta Ltd. ...Respondent

Mr. Omkar Paranjape, a/w Ms. Meenakshi Pahuja, for the
Petitioner.

Ms. Aparna Devkar, for the Respondent.

CORAM: N. J. JAMADAR, J.

DATED : 7th SEPTEMBER, 2022

PC:-

1. In the order dated 4th August, 2022, the name of the respondent be corrected as “**Atlanta Ltd.**” instead of “**Atlanta Lite**”.

2. Rest of the order remains unaltered.

3. The order dated 4th August, 2022 be accordingly corrected and uploaded.

4. Heard the learned Counsels for the parties.

5. The learned Counsel for the petitioner submits that in terms of the order of the Division Bench in Appeal No.271 of 2019 in Company Petition No.385 of 2014, dated 21st July, 2022,

the petitioner has instituted the suit being Commercial Suit (L) No.27235 of 2022.

6. The Division Bench has, in paragraph 5 of the order, indicated the consequences, which would follow upon the institution of the suit. In view of the order of the Division Bench dated 21st July, 2022 and the consequent action of institution of the suit by the petitioner, the Company Petition stands disposed.

7. The order of admission dated 26th November, 2015 stands recalled.

8. The learned Counsel for the petitioner submits that the winding up petition was not advertised in terms of the order dated 26th November, 2015. Hence there is no need to advertise the disposal of the winding up petition as well.

9. The Registry to take action in terms of the directions of the Division Bench.

[N. J. JAMADAR, J.]